

CHAPTER 32
CONTINUOUS SEXUAL ABUSE OF A CHILD
H.F. 176

AN ACT relating to continuous sexual abuse of a child, and making penalties applicable.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. [Section 709.23, subsections 1, 2, 3, and 6](#), Code 2023, are amended to read as follows:

1. A person eighteen years of age or older commits continuous sexual abuse of a child when the person engages in any combination of three or more acts of sexual abuse ~~in violation of [section 709.3](#) or [709.4](#)~~, with the same child, and at least thirty days have elapsed between the first and last acts of sexual abuse.

2. A person who commits continuous sexual abuse of a child is, upon conviction, guilty of a class “B” felony. Notwithstanding [section 902.9, subsection 1](#), paragraph “b”, a person convicted of a violation of [this section](#) ~~involving any combination of three or more acts of sexual abuse that includes a violation of [section 709.3](#) or [709.4](#)~~ shall be confined for no more than fifty years.

3. If a jury is the trier of fact, members of the jury must unanimously agree that three or more acts of sexual abuse ~~in violation of [section 709.3](#) or [709.4](#)~~ were committed with the same child and at least thirty days have elapsed between the first and last acts of sexual abuse. The jury does not need to unanimously agree which specific acts were committed or the exact date when those acts were committed.

6. Each act of sexual abuse committed under [section 709.3](#) ~~or [709.4](#)~~ shall be considered a lesser included offense to the crime of continuous sexual abuse of a child under [this section](#).

Sec. 2. [Section 902.12, subsection 1](#), Code 2023, is amended by adding the following new paragraph:

NEW PARAGRAPH. g. Continuous sexual abuse of a child in violation of [section 709.23](#).

Approved April 28, 2023